

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

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DAVID JAROSLAWICZ, individually and :
on behalf of all others similarly situated, :
: Plaintiff, :
v. :
: M&T BANK CORPORATION, HUDSON :
CITY BANCORP, INC., ROBERT G. :
WILMERS, RENÉ F. JONES, MARK J. :
CZARNECKI, BRENT D. BAIRD, C. :
ANGELA BONTEMPO, ROBERT T. :
BRADY, T. JEFFERSON CUNNINGHAM :
III, GARY N. GEISEL, JOHN D. HAWKE, :
JR., PATRICK W.E. HODGSON, :
RICHARD G. KING, JORGE G. PEREIRA, :
MELINDA R. RICH, ROBERT E. :
SADLER, JR., HERBERT L. :
WASHINGTON, DENIS J. SALAMONE, :
MICHAEL W. AZZARA, VICTORIA H. :
BRUNI, DONALD O. QUEST, JOSEPH G. :
SPONHOLZ, CORNELIUS E. GOLDING, :
WILLIAM G. BARDEL, and SCOTT A. :
BELAIR, :
Defendants. :
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Civil Action No. 1:15-cv-00897-RGA

~~PROPOSED~~ STIPULATION AND ~~PROPOSED~~ ORDER GOVERNING BRIEFING ON
DEFENDANTS' MOTIONS TO DISMISS

This Stipulation is entered into between and among Defendants M&T Bank Corporation (“M&T Bank”), Robert G. Wilmers, Rene F. Jones, Mark J. Czarnecki, Brent D. Baird, C. Angela Bontempo, Robert T. Brady, T. Jefferson Cunningham, III, Gary N. Geisel, John D. Hawke, Jr., Patrick W.E. Hodgson, Richard G. King, Jorge G. Pereira, Melinda R. Rich, Robert E. Sadler, Jr., and Herbert L. Washington (collectively, with M&T Bank, the “M&T Defendants”) and Hudson City Bancorp, Inc. (“Hudson City”), Denis J. Salamone, Michael W. Azzara, Victoria H. Bruni, Donald O. Quest, Joseph G. Sponholz, Cornelius E. Golding, William

G. Bardel, and Scott A. Belair (collectively, with Hudson City, the "Hudson City Defendants") and present Plaintiff David Jaroslawicz, Lead Plaintiff the Belina Family and additional plaintiff Jeff Krublit ("Plaintiffs") in the above-captioned action:

WHEREAS, the Court appointed the Belina Family as Lead Plaintiff on January 8, 2016;

WHEREAS, all parties stipulated to a Scheduling Order governing certain deadlines regarding an Amended Complaint and the responses thereto, which the Court entered on January 21, 2016;

WHEREAS, Plaintiffs filed an Amended Complaint on February 19, 2016;

WHEREAS, the M&T Defendants and the Hudson City Defendants (collectively, the "Defendants") intend to move to dismiss the Amended Complaint; and

WHEREAS, counsel for all parties have discussed the most efficient means of briefing the forthcoming motions to dismiss.

IT IS HEREBY STIPULATED AND AGREED that:

1. Defendants shall file a single, joint opening brief in support of their motion to dismiss not to exceed 50 pages;
2. Plaintiffs shall file a single, omnibus answering brief in opposition to Defendants' motion to dismiss not to exceed 50 pages;
3. Defendants shall file a single, joint reply in support of their motion to dismiss not to exceed 30 pages.

Dated: March 8, 2016

MURPHY & LANDON

/s/ Francis J. Murphy, Jr.

Francis J. Murphy, Jr. (DE Bar No. 223)
Jonathan L. Parshall (DE Bar No. 3247)
1011 Centre Road, Suite 210
Wilmington DE, 19805
Tel: 302-472-8100

Local Counsel for Lead Plaintiff

KAUFMAN, COREN & RESS, P.C.
Deborah R. Gross
2001 Market St.
Philadelphia, PA 19103
Tel: 215-735-8700

PASKOWITZ LAW FIRM P.C.
Laurence D. Paskowitz
208 East 51st Street, Suite 380
New York, NY 10022
Tel: 212-685-0969

Lead Counsel for Lead Plaintiff

POTTER ANDERSON & CORROON LLP

/s/ Kevin R. Shannon

Kevin R. Shannon (DE Bar No. 3137)
Hercules Plaza
1313 N. Market Street, 6th Floor
Wilmington, DE 19899-0951
Tel: 302-984-6000

SULLIVAN & CROMWELL LLP

Tracy Richelle High
Christen M. Martosella
125 Broad Street
New York, NY 10004-2498
Tel: 212-558-4000

Counsel for Defendants Hudson City Bancorp, Inc., Denis J. Salamone, Victoria H. Bruni, Donald O. Quest, Joseph G. Sponholz, Scott A. Belair, Michael W. Azzara, William G. Bardel and Cornelius E. Golding

Additional Plaintiffs' Counsel:

ROY JACOBS & ASSOCIATES
Roy Jacobs
420 Lexington Avenue, Suite 2440
New York, NY 10170
Tel: 212-867-1156

REED SMITH LLP

/s/ John C. Cordrey
John C. Cordrey (DE Bar No. 5324)
1201 Market Street, Suite 1500
Wilmington, DE 19801
Tel: 302-778-7500

WACHTELL LIPTON ROSEN & KATZ
George T. Conway III
Adam D. Gold
51 West 52nd Street
New York, NY 10019
Tel: 212-403-1000

Counsel for Defendants M&T Bank Corporation, Robert G. Wilmers, Rene F. Jones, Mark J. Czarnecki, Brent D. Baird, C. Angela Bontempo, Robert T. Brady, T. Jefferson Cunningham, III, Gary N. Geisel, John D. Hawke, Jr., Patrick W. E. Hodgson, Richard King, Jorge G. Pereira, Melinda R. Rich, Robert E. Sadler, Jr., Herbert L. Washington

IT IS SO ORDERED this 8 day of March, 2016, except that
the papers for the briefing in 40-40-20
Richard G. Andrews
Honorable Richard G. Andrews